

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

DONNIE A. GIBSON,

Debtor.

Case No. 04-45181

Chapter 7

Judge Thomas J. Tucker

ORDER DENYING DEBTOR'S MOTION TO REOPEN CASE

This matter is before the Court on Debtor's "Motion to Reopen Debtor's Bankruptcy Case For the Purpose of Adding Pre-Petition Liabilities," filed August 1, 2006 (Docket # 10). Debtor filed a "Certificate of No Response" on August 21, 2006.

Upon review of the docket, it appears that this was a "no-asset" Chapter 7 case. As a result, it is unnecessary to reopen this case merely to enable Debtor to amend his schedules to add creditors who were not listed previously. Because this was a no-asset case, such unscheduled debts are discharged to the same extent they would be discharged if they had been scheduled. *See In re Madaj*, 149 F.3d 467 (6th Cir. 1998).

Because it appears that reopening this case for the purpose stated by Debtor's motion would serve no useful purpose, the motion must be denied. This denial of Debtor's motion is without prejudice to Debtor's right to file a timely motion for reconsideration or to re-file his motion if he believes that cause exists to reopen this case notwithstanding the Sixth Circuit's decision in *Madaj*, and explain what that cause is. Accordingly,

IT IS ORDERED that Debtor's "Motion to Reopen Debtor's Bankruptcy Case For the Purpose of Adding Pre-Petition Liabilities" filed August 1, 2006 (Docket # 10), is DENIED.

Entered: August 24, 2006

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge